

**OFFICE OF PUBLIC CARRIER**  
DELAWARE TRANSIT CORPORATION  
119 LOWER BEECH STREET  
WILMINGTON, DELAWARE 19805-4440  
1-800-652-3278, PROMPT 7 FAX (302) 577-1042

**Application to Amend Certificate of Public Convenience and Necessity  
To Add Vehicles and/or Territory**

**Instructions**

*The Office of Public Carrier is ready to assist in the completion of this Application. The Office of Pubic Carrier can be reached at 1-800-652-3278, Prompt 7, Monday –Friday 8:30 am to 4:00 pm.*

All certified public carriers wishing to increase the number of vehicles that they currently operate, and/or add additional territory, must first submit an Application to Amend their Certificate with the Office of Public Carrier {2 Del. C. §1802(c)(4)}. Vehicles can not be registered with the Division of Motor Vehicles under the operating authority of a certificate until the Application process is completed and request is approved. Similarly, a Certified Public Carrier cannot operate outside of its approved territory until its Application to add territory is approved. Any company that is determined by the Office of Public Carrier to be operating additional vehicles, or in an unauthorized territory, may be subject to penalties, the denial of their Application to Amend, and/or suspension or revocation of their current Certificate.

An Amendment of a Certificate of Public Convenience and Necessity may be obtained by submitting a completed Application to Amend a Certificate of Public Convenience and Necessity and paying the registration fee therefor.

An Applicant must also show that there is a public need for its services and that the proposed operations will serve a useful public purpose, a useful public necessity and a useful public convenience responsive to a public demand. An Applicant may offer proof that a public demand for its services exists and that its operations will serve a useful public purpose, a useful public necessity and a useful public convenience by completing Attachment F of the Application or submitting a business plan that provides evidence that there exists a public demand for Applicant's intended services and that Applicant's services will serve a useful public purpose, a useful public necessity and a useful public convenience.

In addition to the above, an Applicant shall demonstrate that the Applicant is of good moral character, as shall be evidenced by exhibiting compliance with all applicable laws and regulations, and shall not have been convicted of a felonious or infamous crime involving fraud or deceit.

The Application must be completed in its entirety and all attachments thereto must be clearly identified as requested by the Application. The application must be carefully filled out by computer, typewriter, or neat handwriting using black or blue ink. All sections must be answered in its entirety. The application does not have to be notarized. If you are required to include documentation and the space provided in the application is insufficient, use 8 1/2 X 11 inch plain paper and write in the portion on the application "See Attachment (A, B, C, etc.)".

If applying to add additional vehicles you are not required to have purchased the vehicles until after the Application has been approved; however, evidence of insurance and vehicle descriptions must be submitted to this office prior to the use of the added vehicles once the Certificate of Public Convenience and Necessity has been Amended as requested.

Every application must be accompanied by the required attachments and the filing fee indicated at the top of each application. Checks must be made payable to the Delaware Department of Transportation (DelDOT). Filing fees are non-refundable once the application has been accepted by this office. The Application may be mailed to or dropped off at:

The Office of Public Carrier  
119 Lower Beech Street,  
Wilmington, DE 19805-4440.  
M-F 8:30 am to 4:00 pm

If the Application is not complete, it will not be accepted by the Office of Public Carrier. The Application will be returned for correction and may delay the approval of your Application.

Every Application must be accompanied by the required attachments and the filing fee indicated at the top of each Application. Checks must be made payable to the Delaware Department of Transportation (DelDOT). Filing fees are non-refundable once the Application has been accepted by this office.

In accordance with 2 Del. C. § 18, a public hearing may be required if an intervention request is received by the Office of Public Carrier. The Applicant will be contacted to schedule a hearing if a hearing is requested and deemed necessary. The hearing will be conducted in accord with 2 Del. C. § 18 and all other applicable Rules and Regulations Pertaining to the Regulation of Public Carriers. Any fees incurred by the Applicant during the course of a hearing must be paid before a Certificate is issued by the Office of Public Carrier, if this Application is approved.

The following items must be submitted to the Office of Public Carrier prior to the issuance of the Certificate of Necessity and Public Convenience:

- Federal Bureau of Investigation and a State Bureau of Investigation criminal history background check for each driver of the company to verify that they are clear of any disqualifying crime if not provided with Applicant's Application;
- Registration cards for each vehicle. Each registration must match the name identified on the Applicant's Delaware business license and insurance; and
- Auto Liability insurance policy which identifies the Office of Public Carrier Regulation as the Certificate Holder.

## **Application Instructions**

### **Section 1: Applicant Information:**

Applicant must identify the amendment(s) sought to its existing Certification of Public Convenience and Necessity. The legal name of the company must match the records of a company currently registered as a Certified Public Carrier. Update any other information that has changed in this section in order to maintain our files.

## **Section 2: Amendment Information:**

Provide the type of services currently provided under Applicant's Certificate including Applicant's a) current number of vehicles being operated; b) requested number of additional vehicles, if any; c) current territory of operations; and d) additional territory to be added, if any.

## **Section 3: Hours of Operation:**

Identify intended or actual hours of operations for the requested additional vehicles and/or in the territories requested.

## **Section 4: Added Vehicle Information:**

Submit a list of the vehicles and copies of the registration cards for all vehicles that are to be added pursuant to an approval of this Application, or provide a purchase quotation document or letter of intent to purchase additional vehicles if this Application is approved. If this application is approved a vehicle registration card must be provided to the Office of Public Carrier within 180 days of the Certifications amendment.

Attach and label as Attachment A.

## **Section 5: Driver Information:**

Provide the name, social security number, date of birth, driver's license number, and state of issuance for each driver that will be providing transportation to the public. Include a legible copy of each driver's license and a current driving record from their state of residence. All drivers that will be operating taxicabs must have the proper Division of Motor Vehicle endorsements on their licenses.

Attach and label as Attachment B.

## **Section 6: Auto Liability Insurance:**

If applying to add additional vehicles, Applicant must obtain and maintain automobile insurance coverage from an insurance company authorized to do business in the State of Delaware. A copy of an insurance quote is acceptable for proposed additional vehicles. The quote must include the minimum amounts of coverage required by law and indicate that the insurance company will extend coverage to the applicant suitable for the type of operations being conducted.

Attach and label as Attachment C.

## **Section 7: Background Check:**

All business owners, officers, directors, members, and partners must qualify for a Delaware (z) endorsement by completing a Federal Bureau of Investigation and State Bureau of Investigation criminal background check to verify they are clear of any disqualifying crime. 2 Del. C. c. §1802(e)(1) states that "...the applicant shall be of good moral character, as shall be evidenced by exhibiting compliance with all applicable laws and regulations, and shall not have been convicted of a felonious or infamous crime involving fraud or deceit."

The background checks must be submitted along with the original application for ALL owners, officers, directors, members, or partners of the applicant.

Attach and label as Attachment D.

**Section 8: Rates:**

A copy of the rates to be charged to customers must be included. This document must be typed on company letterhead and clearly identify the information that a customer needs to determine the charge for transport to and from a particular destination. Once established, rates can not be changed unless a formal request is received by this office. In addition, only vehicles equipped with a taximeter can utilize a per mile rate.

Attach and label as Attachment E.

**Section 9: Public Need for Operations:**

Applicant must provide evidence that the addition of requested vehicles and/or territories will meet a public need and serve a useful public purpose, a useful public necessity and a useful public convenience. Applicant may provide evidence by completing and submitting Attachment F, or by submitting a business plan detailing the Applicant's response to the aforementioned statutory requirements.

Attach and label as Attachment F.

**Section 10: Applicant's Signature**

Applicant's signing of the Application certifies that to the best of the Applicant's knowledge and belief the information provided in the Application is true and accurate. Any misleading, omitted or false information can result in a denial of the Application and/or a suspension or revocation of the Applicant's existing Certificate. The Applicant should review the Application and this Section carefully before signing. The Applicant should keep a copy of the completed Application and attachments for their files.